

App. No. 10/065,552
Amendment dated March 3, 2005
Reply to Office action of December 3, 2004

REMARKS

Summary of Amendments

Claims 1 and 6 have been amended, and new claim 14 has been added. Claims 7-13 have are currently withdrawn.

Election/Restriction

The Office action notes that the restriction requirement made in the present application is proper. In particular, absent patentability of the method claims, i.e., claims 1-6, examination of the manufactures (products) that are the subject matter of claims 7-13 would require a separate search and consideration. Nonetheless, it is respectfully pointed out that claims 8-13 depend from claims 1-6 respectively, and thus should claims 1-6 be held allowable, claims 8-13 should be rejoined and held allowable as depending from allowable base claims.

Claim Rejections under 35 U.S.C. § 103

Claims 1 and 4; Miller '489

Claims 1 and 4 were rejected as being unpatentable over U.S. Pat. No. 3,803,489 to Miller.

Miller does teach contacting a liquid electrode on a semiconductor material to be profiled. The liquid is water that has been made electrolytic by the addition of impurities. As to actual material profiled, Miller mentions only silicon, once in line 43 of column 5, and once in lines 13-16 of column 6, where he also mentions GaAs and GaP: "The technique was found to work satisfactorily with *n*- and *p*-type silicon, with gallium arsenide, and with gallium phosphide."

Although Miller directs his claims to "an apparatus for analyzing semiconductor wafers," the Miller disclosure does not teach or suggest the profiling of wafers superficially including a plurality of layers of In-containing semiconductor compounds, as is in contrast the case in the present invention, and moreover is silent as to profiling heteroepitaxial layers.

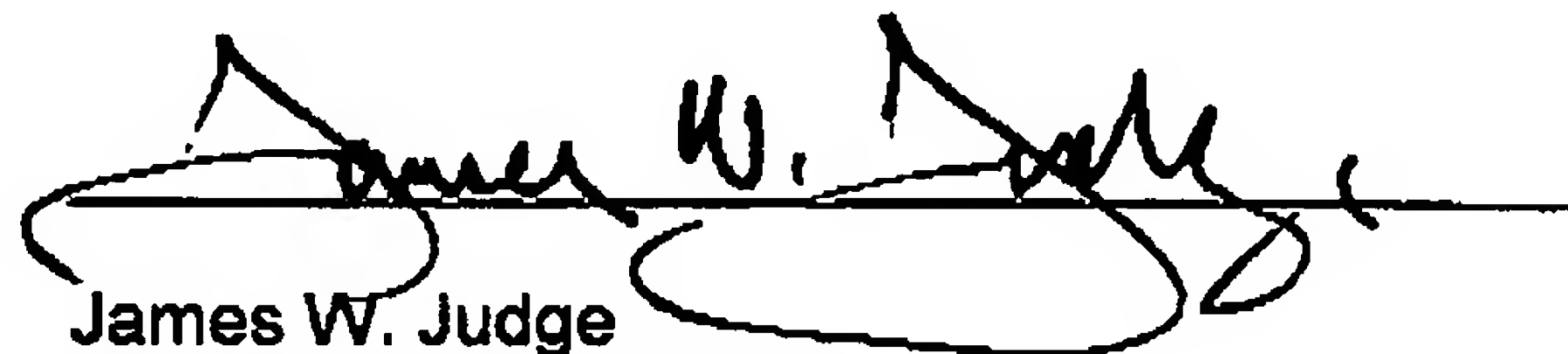
Claims 1 and 6 have been amended to clarify that the claimed method is limited to profiling wafers "including a plurality of In-containing-compound semiconductor surface layers."

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Accordingly, Applicant courteously urges that this application is in condition for allowance. Reconsideration and withdrawal of the rejections is requested. Favorable action by the Examiner at an early date is solicited.

Respectfully submitted,

March 3, 2005


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